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October 21, 2024

Via ECF

The Honorable Steven Tiscione  
United States Magistrate Judge for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Nolan v. City of New York et al., Case No. 19-cv-00187-RPK-ST

Dear Judge Tiscione:

This office represents Plaintiff William R. Nolan in the above-referenced action brought against Defendants, the City of New York (“the City”), and various individuals, for alleged violations of Plaintiff’s First, Second, Fourth, Fifth, Sixth, and Eighth Amendment rights. We write now, with the City’s consent, to respectfully request a four-month adjournment of Court’s current discovery and dispositive motion practice deadlines, which were last set on June 26, 2024. More specifically, we request an adjournment of the fact discovery deadline from October 28, 2024 to February 28, 2025, the exchange of expert report deadline from November 26, 2024 to March 26, 2024, the expert deposition and discovery completion deadlines from December 26, 2024 to April 26, 2024, and the final date for the first step in dispositive motion practice from January 30, 2023 to May 30, 2024. Additionally, we write to request an adjournment of the settlement conference currently scheduled for November 8, 2024 (ECF 95), *sine die*, pending the completion of fact discovery and depositions, based on the parties’ belief that a settlement conference would not be beneficial before that time.

The parties request these adjournments because, although we have substantial progress, including but not limited to the City’s three large productions of electronically stored information in response to Plaintiff’s requests, fact discovery is not yet complete. On October 17, 2024, the undersigned and counsel for the City held a meet and confer to discuss completing the remainder of discovery, which still includes items such as the City’s production of remaining electronically

stored information, the City's production of physical records, and a potential supplemental production from Plaintiff. Thus, there is still substantial critical discovery that must be conducted by both sides prior to proceeding with depositions.

This is the parties' second request for an adjournment these deadlines. The first request (ECF 94) was granted by the Court on June 26, 2024.

We thank the Court for its attention to this matter.

A handwritten signature in black ink, appearing to read 'A.C. Weiss', written over a horizontal line.

Andrew C. Weiss, Esq.  
*For the Firm*

To: All counsel of record (*via ECF*)